



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TRG  
Docket No: 4593-99  
29 January 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 January 2001. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Marine Corps on 18 September 1986 at age 18. The record shows that you then served without incident for about a year.

On 6 August 1987 you were admitted to the hospital for evaluation of insomnia, headaches and possible depression and you remained hospitalized until 16 September 1987. The psychiatric evaluation in the record states that you were having difficulty sleeping which resulted in fatigue, restlessness, hypervigilance and suspension from the personnel reliability program. On the seventh day in the hospital, your case was presented to a staff conference where it was felt your compulsivity was a defense against depressive feelings, and a recommendation was made for further evaluation to rule out major depression.

The subsequent evaluation apparently included psychiatric testing. On 16 September 1987 you were diagnosed with an obsessive compulsive personality disorder. It was noted that the personality disorder rendered you unsuitable for productive military service and was likely to result in continued occupational and interpersonal maladjustment. Although you were

not considered suicidal or homicidal, the evaluation did not rule out the possibility that you might attempt to harm yourself or others. Therefore you were recommended for an expeditious administrative discharge.

On 13 October 1987 the guard officer stated that you were being permanently decertified from the Personnel Reliability Program. The guard officer stated, in part, as follows:

I do not feel it is prudent to allow him to carry a weapon. I have observed him on a daily basis and have concluded that he is a very nervous "high strung" individual. Judging from his persona, I feel that he would be extremely unpredictable with a weapon. We do not need this type of unpredictability on the guard.

....

On 18 October 1987 you were notified of discharge due to the diagnosed personality disorder. At that time you elected to waive your procedural rights. On 5 November 1987 the discharge authority directed an honorable discharge and you were so discharged on 13 November 1987. At that time you were assigned an RE-3P reenlistment code.

In support of your request for a change in the reenlistment code, you have submitted excellent character references which show that you have performed your duties as a corrections officer in an excellent manner for over 11 years. You have also submitted a letter from a doctor who believes that the personality disorder diagnosis was in error. The doctor states, in part, as follows:

... In his second year as a Marine, he describes a number of stressors occurring in his life. These include his father having considerable physical problem, a close Marine Corps friend committing suicide and being harassed by a black sergeant.

It was during this time that (he) describes having difficulty sleeping. He states that he would get 2-3 hours of sleep a night and maintains that he functioned very well on the job. He says "not getting enough sleep is against regulations", he was eventually seen as having "aberrant behavior". He was subsequently transferred to the Norfolk Naval Hospital where he underwent numerous tests including both physical as well as psychiatric and personality testing. ....

Of note, his sleep difficulties disappeared gradually over 6-months following his discharge. He has had no sleep disturbance since. ....

From my examination and from the documentation before me as well as (his) history, there appears to be no psychiatric problems present. I would also strongly question the diagnosis of "personality disorder". This phrase essentially has no meaning.

There are various types of personality disorders. All include maladaptive behavioral style which causes problems in work, social and interpersonal relationships. This malady is usually life-long and begins early in life. It is repetitive and usually does not respond to treatment.

(He) presents none of the above. As a consequence, I would consider the above label as being an error. Presently, I find no evidence of psychiatric problems.

After reviewing the psychiatric evaluations, the Board noted that the difficulties you were experiencing when you were in the Marine Corps appear to be more severe than you described to your doctor. Further, you were hospitalized for over 40 days in a naval hospital and there were consultations with the psychiatric staff, which concluded that you had an obsessive compulsive personality disorder. The evaluation you submitted is based on your description of events and a review of your good post service adjustment but it does not include a review of the evaluation done while you were in the Marine Corps or psychiatric testing. Finally, the Board is aware that personality disorders often only become manifest under stress and you were not under stress when you saw the doctor.

The Board found that the character references and the psychiatric evaluation you submitted were not sufficient to overcome the psychiatric evaluation and the opinion of the guard officer which were done while you were in the Marine Corps. Therefore, the Board concluded that you were properly discharged due to the diagnosed obsessive compulsive personality disorder.

Regulations allow for the assignment of an RE-3P or an RE-4 reenlistment code when an individual is discharged due to a diagnosed personality disorder. Since you were assigned the least restrictive reenlistment code authorized by regulations, the Board could not find an error or injustice in the assignment of the RE-3P reenlistment code.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that

favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director